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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**NOTICE OF HEARING RE  
OMNIBUS OBJECTION OF THE  
USACM TRUST TO PROOFS OF  
CLAIM BASED UPON  
INVESTMENT IN THE LAKE  
HELEN PARTNERS LOAN**

Hearing Date: September 30, 2011

Hearing Time: 9:30 a.m.

Estimated Time for Hearing: 10 minutes

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR  
CLAIM TO THE EXTENT YOUR CLAIM IS BASED UPON AN INVESTMENT  
IN THE LAKE HELLEN PARTNERS LOAN. THE USACM TRUST CONTENDS  
THAT YOU DO NOT HAVE A COMPLETELY VALID CLAIM BASED UPON  
YOUR INVESTMENT IN THIS LOAN BECAUSE YOU TOOK A KNOWN AND  
OBVIOUS RISK IN MAKING THAT INVESTMENT AND USACM DID NOT  
GUARANTEE REPAYMENT OF THAT LOAN. THIS OBJECTION WILL NOT  
IMPACT YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN  
INVESTMENT IN A DIFFERENT LOAN.**

1       **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
2       **COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** QUESTIONS  
3       REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM  
4       SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP  
5       CONSULTING, LLC (602-424-7009) OR TO UNDERSIGNED COUNSEL, JOHN  
6       HINDERAKER (520-629-4430).

7       NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and  
8       through its counsel, has filed its Omnibus Objections to Proofs of Claim Based Upon  
9       Investment in the Lake Helen Partners Loan (with Certificate of Service) (the  
10      “Objection”). Your Proof of Claim number and other information regarding your claim is  
11      provided in **Exhibit A**, attached to the Objection. The USACM Liquidating Trust has  
12      requested that this Court enter an order, pursuant to section 502 of title 11 of the United  
13      States Code (the “Bankruptcy Code”) and Rule 3007 of the Federal Rules of Bankruptcy  
14      Procedure (the “Bankruptcy Rules”), disallowing your Proof of Claim to the extent it is  
15      based upon an investment in the Lake Helen Partners Loan. The Objection will not impact  
16      your Claim to the extent it is based upon an investment in a different loan.

17      NOTICE IS FURTHER GIVEN that the hearing on the Objection will be held  
18      before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
19      Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
20      **September 30, 2011, at the hour of 9:30 a.m.**

21      NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON  
22      SEPTEMBER 30, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS  
23      CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO  
24      ARGUMENTS WILL BE HEARD ON THAT DATE.

25      NOTICE IS FURTHER GIVEN that pursuant to Local Rule 9014(d), any  
26      response to the objection must be filed and service must be completed no later than

**fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant facts and any relevant legal authority.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: August 8, 2011

LEWIS AND ROCA LLP

By s/John Hinderaker (AZ 18024)  
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*Attorneys for the USACM Liquidating Trust*

Copy of the foregoing and pertinent portion of Exhibits mailed by first class postage prepaid U.S. Mail on August 8, 2011 to all parties listed on Exhibit A attached.

LEWIS AND ROCA LLP

s/ Renee L. Creswell  
Renee L. Creswell